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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/579,931	05/19/2006	Johannes Maria Pleunis	NL 031365	3700
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BASIT, ABDUL				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/579,931

Applicant(s)

PLEUNIS, JOHANNES MARIA

Examiner

ABDUL BASIT

Art Unit

3694

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/CD)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claims 1-13 are objected to because of the following informalities: The claims have bracketed numbering within the claim language. Appropriate correction is required.

Claim Rejections - 35 USC § 101

Claim 12 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 12 is an apparatus claim, while claim 1 is a system claim. The apparatus claim cannot depend upon a claim from a different statutory class. Applicant is requested to a) cancel claim 12, or b) amend claim 12 to be an independent apparatus claim with the features that are present in claim 1.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eldridge (US Pat. No. 6,601,102) in view of Official Notice.

Regarding claim 1:

Eldridge teaches an electronic system (10) for providing visible user physical feedback via at

least one data token (80), characterized in that the system (10) includes:

(a) computing means (50); *(see at least Figs. 1-2, col. 1-2 and 4-6)*

(b) a data store (40) coupled to said computing means (50) for at least one of

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inputting data and outputting data content from the store (40); *(see at least Figs. 1-2, col. 1-2 and 4-6)* and

(c)

token interfacing means (60, 70) coupled to said computing means (50) for

interfacing to said at least one data token (80) detachable from the system (10), said at

least one token (80) for representing data content in the store (40),

the system (10) being arranged to perform operations including at least one of delete, read,

10 write, and rearrange data content associated with said at least one token (80) to read

from said at least one token (80) using the token interfacing means (60, 70) details of

said data content to identify said data content and/or to record on said at least one

token (80) using the token interfacing means (60, 70) one or more details of said

operations so that said one or more details from said at least one token (80) when user-

inspected, *(see at least Figs. 1-2, col. 1-2 and 4-6)*

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thereby enabling said at least one token (80) to be a representation in tangible form of

corresponding data content stored in the data store (40). *(see at least Figs. 1-2, col. 1-2 and 4-6)*

Official Notice, not Eldridge, teaches the use of optical technology. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Eldridge with Official Notice. Motivation to modify exists because optical technology as discussed in the claim language is a commonly used method of communicating information.

Regarding claim 2:

A system (10) according to Claim 1, wherein the token interfacing means (60) is subdivided into spatial sub-regions (200), each sub-region (200) being associated with a specific type of corresponding operation on the data content represented by said at least one token (80) when presented in spatial proximity of said sub-region (200).
(see at least Figs. 1-2, col. 1-2 and 4-6)

Regarding claim 3:

Eldridge further teaches a system (10) according to Claim 1, wherein the token interfacing means (60) is arranged to be capable of handling a pack comprising a plurality of said at least one token 25 (80) and performing said operation on at least one token (80) in the pack. (see at least Figs. 1-2, col. 1-2 and 4-6)

Regarding claim 4:

Eldridge teaches a system according to Claim 1, wherein the computing means (50) is arranged so as to prevent said data content from being subject to at least a subset of said operation when its corresponding token (80) is spatially remote from the token interfacing means (50,60). (see at least Figs. 1-2, col. 1-2 and 4-6)

Regarding claim 5:

Eldridge teaches A system (10) according to Claim 1, wherein said at least one token (80) is provided with:

(a) a first region (110) susceptible to being user-marked with user optically-readable information; (*see at least Figs. 1-2, col. 1-2 and 4-6*) and

(b) a second region (120) susceptible to presenting information optically, said second region (120) being arranged to be written to from the system (10) for providing a user 10 optically-readable indication of data content associated with said token (80).

(*see at least Figs. 1-2, col. 1-2 and 4-6*)

Regarding claim 6:

Eldridge teaches a system (10) according to Claim 1, wherein the system (10) is arranged to interrogate said at least one token (80) when spatially presented to the system (10) for indicating to the system (10) user-preferred data content to be subject to said operation. (*see at least Figs. 1-2, col. 1-2 and 4-6*)

Regarding claim 7:

Eldridge teaches a system (10) according to Claim 6, wherein said at least one token (80) is arranged to be interrogated from the system (10) by at least one of: radio interrogation, optical interrogation, contact electrical interrogation, and magnetically-coupled electrical interrogation. (*see at least abstract and col. 1-2*)

Regarding claim 8:

Eldridge teaches a system (10) according to Claim 6, wherein said at least one token (80) is provided with a unique identification code for use in enabling the system (10) to identify said at least one token (80) and thereby data content associated with said at

least one token (80). *(see at least Figs. 1-2, col. 1-2 and 4-6)*

Regarding claim 9:

Eldridge teaches a system (10) according to Claim 1, wherein said at least one token (80) is provided with at least one corresponding region (120) which is susceptible to being electronically programmed by the system (i 0) to present visual information provided from the system (10), said visual information being related to data content associated with said at least one token (80). *(see at least Figs. 1-2, col. 1-2 and 4-6)*

Regarding claim 10:

Eldridge teaches a system (10) according to Claim 9, wherein said at least one region (120) is provided with electrically-writable ink for use in providing user-readable visual information of data content associated with said at least one token (80). *(see at least Figs. 1-2, col. 1-2 and 4-6)*

Regarding claim 11:

Official Notice, not Eldridge, is taken to teach that a system (10) according to Claim 1, wherein said at least one token (80) is implemented in the form of at least one substantially plastics material planar substrate. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Eldridge with Official Notice. Motivation to modify exists because plastic material as described in the claim language

is commonly used for a token.

Regarding claim 12:

Eldridge teaches a data token (80) for use with a system (10) according to Claim 1.

Regarding claim 13: See Claim 1

A method of providing visible physical feedback for an electronic system (10), characterized in that the method includes the steps of:

(a)

providing the system (10) with computing means (50), a data store (40) coupled to said computing means (50) for at least one of inputting data and outputting data

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content from the store (40), and token interfacing means (60, 70) coupled to said computing

means (50) for interfacing to at least one data token (80) detachable from the system (10),

said at least one token (80) for representing data content in the store (40); and

(b)

on performing an operation of at least one of deleting, reading, writing, and rearranging data content associated with said at least one token (80), arranging for the system

15 (10) to read from said at least one token (80) using the token interfacing means (60,

70) details of said data content to identify said data content and/or to record on said at least one token (80) using the token interfacing means (60, 70) one or more details of said operation so that said one or more details are optically readable from said at least one token (80) when user-inspected, thereby enabling said at least one token (80) to be a representation in tangible
20 form of corresponding data content stored in the data store (40).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ABDUL BASIT whose telephone number is 571-272-5506. The examiner can normally be reached on Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ab

/James P Trammell/
Supervisory Patent Examiner, Art Unit 3694